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OFFICE OF PETITIONS

In re Patent of :
Seiki, et al. :
Patent No. 6,780,412 :
Issue Date: August 24, 2004 :
Application No. 09/743,002 :
Filing Date: December 12, 2000 :
Attorney Docket No. 2000-1617 :

Decision on Petition

This is a decision on the petition under 37 CFR 1.183, filed September 24, 2004, to waive the rules and accept the correction of the assignee data of the above-identified patent by way of Certificate of Correction. The petition is also being treated as a request under 37 CFR 3.81 to accept the correction of the assignee data.

The petition under 37 CFR 1.183 is **dismissed as moot**.

The request under 37 CFR 3.81 is **dismissed**.

Effective June 25, 2004, 37 CFR 3.81(b) has been revised to no longer require the correction of the assignee data prior to issuance of the patent. Therefore, a petition to waive the rule is unnecessary. 37 CFR 3.81(b) currently states:

Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a)) and the processing fee set forth in § 1.17(i) of this chapter.

In other words, the request under 37 CFR 3.81(b) will be granted when:

- (1) a request under 37 CFR 3.81 and the fee set forth in 37 CFR 1.17(i) are filed,

- (2) the assignment was submitted for recordation prior to issuance of the patent, and
- (3) a request for a certificate of correction and the fee set forth in 37 CFR 1.20(a) are submitted.

Petitioner has not met the requirements set forth above because petitioner has not submitted a completed PTO/SB/44 Certificate of Correction form and petitioner has not paid the \$100.00 certificate of correction fee. Therefore, the request is dismissed.

Please find enclosed a blank PTO/SB/44 Certificate of Correction form.

Any further correspondence regarding this matter should be directed to:

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITION
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By hand: U.S. Patent and Trademark Office
220 20th Street S.
Customer Window, Mail Stop Petition
Crystal Plaza 2, Lobby, Room 1B03
Arlington, VA 22202

By FAX: (703) 872-9306 – ATTN: Office of Petitions

The file is being forwarded to Files Repository.

Telephone inquiries should be directed to the undersigned at (571) 272-3230.



E. Shirene Willis
Petitions Attorney
Office of Petitions

enclosure: blank PTO/SB/44 Certificate of Correction form